

June 4, 2009

Mr. Bob Kennedy
Western Area Power Administration
FRN - Revised Open Access Transmission
Service Tariff
P.O. Box 281213
Lakewood, CO 80228

Dear Mr. Kennedy,

Missouri River Energy Services (MRES) has received the Federal Register Notice with regard to the Revised Open Access Transmission tariff modifications that Western Area Power Administration (Western) has proposed. MRES submits the following comments associated with the notice.

MRES has two primary concerns associated with the modifications that are intended to bring Western's tariff into compliance with the Federal Energy Regulatory Commission (FERC) 890 order, Preventing Undue Discrimination and Preference in Transmission Service, originally ordered by FERC in early 2007.

In the Western revised tariff section 19.10, MRES has significant concern that one of the primary purposes of the FERC 890 order is being essentially eliminated. MRES believes that for Western to meet the intent of FERC Order 890, several portions of the tariff, currently proposed to be removed, should be inserted back into the tariff.

Section 19.10 – 'due diligence' standard should be inserted in the modified tariff, which is the standard proposed by FERC. While MRES appreciates the difference between 'reasonable' and 'due diligence', MRES believes Western should comply with the 'due diligence' standard.

Section 19.10 (i), and 19.10 (ii) – Western has proposed to essentially eliminate the core reporting requirements of the sections. Each of these sections is intended to address tracking and reporting of the status of completion of System Impact Studies and Facility Studies. This again is a core component of the FERC 890 and should be included in the modified tariff. MRES does not understand what limitations Western may have with simply reporting the status of ongoing studies on a regular basis. Reporting the status, in and of itself, would not subject Western to penalties; in fact, it will help provide transmission customers with confidence that Western is providing non-discriminatory service, consistent with the FERC policy.

In the Western tariff revised Section 13.3 in Attachment P, MRES is encouraged to see that Western will form working groups of stakeholders for participation in local transmission planning. In addition to forming stakeholder groups and posting information on the open access same time information system (OASIS), MRES suggests that Western form email exploders to notice stakeholders of the planned study efforts to ensure maximum participation. This is consistent with how other transmission planning areas, such as the Midwest Independent Transmission System Operator (MISO) and the Mid-Continent Area Power Pool (MAPP), notice these types of meetings. Further, in the Western tariff revised Section 13.4(b) in Attachment P, MRES suggests that the threshold of ten (10) stakeholders expressing need prior to a meeting being held is a bit too high, given the limited number of stakeholders actively participating in studies in the area. MRES suggests that the threshold be lowered to two (2) parties. In addition, MRES suggests that the limitation of a maximum of two meetings annually may be a bit too restrictive, given the amount of activity currently occurring in the region.

MRES appreciates the opportunity to comment. If you have any questions about the comments made, please contact me directly at 605-330-6977.

Sincerely,



Terry Wolf
Manager, Transmission Services

C: Lloyd Linke
Steve Sanders
Raymond Wahle